

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

CARLOS MARIN, KENNY LEBRON, and MARTINA HANISCH, on behalf of themselves and all others similarly situated,

Plaintiffs,

-against-

APPLE METRO, INC., et al.,

Defendants.

SHAUNTA DOVE, on behalf of herself and all others similarly situated,

Plaintiffs,

-against-

APPLE METRO, INC., et al.,

Defendants.

Case No. 12 Civ. 5274  
(ENV)(CLP)

**NOTICE OF MOTION  
TO STRIKE THE AFFIDAVIT OF**

**M. PATRICIA SMITH**

Case No. 13 Civ. 1417  
(ENV)(CLP)

**PLEASE TAKE NOTICE** that, upon the Defendants' Memorandum of Law in Support of Their Motion to Strike the July 27, 2018 Affidavit of M. Patricia Smith, and upon all prior pleadings and proceedings, Defendants will move this Court, before the Eric N. Vitaliano, at the United States District Courthouse, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, NY 11201, on a date and time to be determined by the Court, for an order striking the July 27, 2018 Affidavit of M. Patricia Smith, and granting such other and further relief as the Court deems just and proper.

Dated: New York, New York  
September 25, 2018

*s/ Craig R. Benson*

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